

FILED
BILLINGS DIV.

2011 OCT 17 AM 11 05

PATRICK E. DUFFY, CLERK

BY _____

DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MONTANA

BILLINGS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID "BUD" LaROCHE,

Defendant.

CR 11-102-BLG-CSO

FINDINGS AND
RECOMMENDATIONS
CONCERNING PLEA

The Defendant, by consent, has appeared before me under Fed. R. Crim. P. 11 and has entered a plea of guilty to the Information (*Court Doc. 1*), which charges the crime of a Lacey Act Violation, 16 U.S.C. 3372(a)(2)(A), 3373(d)(2) and 18 U.S.C. 2.

After examining the Defendant under oath, the Court determined that the guilty plea was knowingly, intelligently, and voluntarily entered; that the Defendant fully understands his constitutional rights and the extent to which such rights are waived; and that the offense

charged and to which a guilty plea was entered contained each of the essential elements of the offense.

The Court further concludes that the Defendant had adequate time to review the Plea Agreement with counsel, that he fully understands each and every provision of the agreement and that all of the statements in the Plea Agreement are true. I recommend that the Defendant be adjudged guilty and that sentence be imposed. A presentence report has been ordered. Should the Court accept this recommendation, sentencing shall be set by Chief Judge Cebull.

Objections to these Findings and Recommendation are waived unless filed and served within fourteen (14) days. 28 U.S.C. § 636(b)(1)(B); Fed. R. Crim. P 59(b)(2).

DATED this 17th day of October, 2011.



CAROLYN S. OSTBY

United States Magistrate Judge